

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 19026-AD20-0305-043

IN THE MATTER OF: )

James W. Taylor )  
2143 E. 100 N., )  
Kokomo, IN 46901 )

Applicant. )

License Application # 763521 )

Type of Agency Action: Enforcement )

**FILED**

**OCT 29 2020**

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

On September 17, 2020, the Administrative Law Judge, Reuben B. Hill, filed his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Order on Respondent by mailing the same to their address of record.

2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.

3. Neither party has filed an objection with the Commissioner regarding the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Order, and more than eighteen (18) days have elapsed.


Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Applicant's application number 763521, for an Indiana Resident Public Adjuster Certificate of Authority is Granted.

Under Ind. Code §4-21.5-5-5, Respondent has the right to appeal this Final Order by filing a petition for Judicial review in the appropriate court within thirty (30) days.

ALL OF WHICH IS ORDERED by the Commissioner this 29 day of October, 2020.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Copies to:

James W. Taylor  
c/o James E. Porter, Attorney for Applicant  
50 S. Meridian St., Suite 505  
Indianapolis, IN 46204

Victoria Hastings, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 19026-AD20-0305-043

IN THE MATTER OF:

James W. Taylor  
2143 E. 100 N.  
Kokomo, Indiana 46901

Applicant.

Type of Agency Action: Enforcement

License Application Number: 763521

**FILED**

**SEP 17 2020**

STATE OF INDIANA  
DEPT. OF INSURANCE

**NOTICE OF FILING OF RECOMMENDED ORDER**

The parties of this action are hereby notified that the Administrative Law Judge's  
Recommended Order is filed as of this date.

To preserve an objection to this order for judicial review, the Parties must object to the  
order in a writing that: 1) Identifies the basis for the objection with reasonable particularity; and  
2) Is filed with the ultimate authority for the Final Order, the Commissioner of the Department of  
Insurance within eighteen (18) days from the date of this Order.

DATED: \_\_\_\_\_

*9/15/20*

*Reuben B. Hill*

Reuben B. Hill  
Administrative Law Judge

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

License Application Number: 763521

[illegible]

CAUSE NO.: 19026-AD20-0305-043

FILED

SEP 17 2020

STATE OF INDIANA  
DEPT. OF INSURANCE

The Enforcement Division of the Indiana Department of Insurance (“Department”) was represented by counsel, Victoria Hastings. Applicant appeared telephonically and by counsel, James E. Porter. Testimony was heard, and exhibits were received into evidence.

Based upon the evidence presented at said hearing, the ALJ now makes the following Findings of Fact, Conclusions of Law, and issues his Recommended Order.

### **FINDINGS OF FACT**

1. On or around February 4, 2020, Applicant submitted his application for Resident Public Adjuster Certificate of Authority.
2. The Department reviewed Applicant's application and public records, which included Applicant's criminal history, which were available at that time.
3. On April 9, 2020, the Department issued a Preliminary Administrative Order and Notice of License Denial due to Applicant's criminal history at that time.
4. On or around April 27, 2020, the Howard County Superior Court entered an Expungement Order in favor of Applicant. (Applicant's Exhibit C)
5. On or around April 28, 2020, Applicant requested a hearing in this matter.
6. On or around May 28, 2020, a hearing was scheduled for a setting on June 10, 2020.
7. On or around June 3, 2020, the Enforcement Division of the Indiana Department of Insurance filed a Motion to Continue Hearing due to the assigned investigator being out of town at the time of the June 10, 2020 hearing.
8. On or around June 5, 2020, the ALJ granted the Enforcement Division's Motion to Continue Hearing, and reset the hearing for June 24, 2020.
9. On or around June 22, 2020, counsel for Applicant filed an Unopposed Motion to Continue Hearing.

10. On or around June 22, 2020, the Hamilton County Superior Court entered an Expungement Order in favor of Applicant. (Applicant's Exhibit B)
11. On or around June 23, 2020, the ALJ granted the Unopposed Motion to Continue Hearing, and reset the hearing for July 15, 2020.
12. Applicant submitted seven (7) exhibits at the hearing. Applicant's Exhibit A is the Department's April 9, 2020, Preliminary Administrative Order and Notice of License Denial. Applicant's Exhibit B is an Expungement Order from the Hamilton County Superior Court. Applicant's Exhibit C is an Expungement Order from the Howard County Superior Court. Applicant's Exhibit D is a Certificate of Eligibility for the Public Adjuster Assessment. Applicant's Exhibit E is a Public Adjuster's Bond. Applicant's Exhibit F is a letter of recommendation from a Ms. Rachel Adams. Applicant's Exhibit G is a letter of recommendation from a Mr. Shawn Blank.
13. The Department did not submit any exhibits.
14. Conclusions of Law that can be adopted as Findings of Fact are hereby incorporated herein as such.

#### **CONCLUSIONS OF LAW**

1. The Commissioner of the Indiana Department of Insurance ("Commissioner") has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code and in compliance with Governor Holcomb's Executive Orders.

3. On March 19, 2020, Governor Eric J. Holcomb issued an Executive Order 20-05 Section 13(A), which provided that any non-essential deadline for an agency can be extended for a period of no longer than sixty (60) days.

4. Thus, the requirement under Indiana code 27-1-27-7.1(c) that the hearing shall be held within twenty (20) days, was extended per Executive Order 20-05, which was still in effect at the time of scheduling Applicant's hearing.

5. Indiana Code 27-1-27-7.1 states that the Commissioner may refuse to issue a Public Adjuster Certificate of Authority, due to a number of factors.

6. Indiana Code 27-1-27-7.1(b)(8) allows the Commissioner to refuse to issue a Public Adjuster Certificate of Authority for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of insurance business.

7. Indiana Code 4-21.5-3-14(c) states that the person requesting an agency take action has the burden of persuasion and the burden of going forward. Applicant is requesting that the Department issue him a Resident Public Adjuster Certificate of Authority and, therefore, Applicant bears the burden.

8. Pursuant to Indiana Code 27-1-27-7.1(c), a hearing was held to determine the reasonableness of the Commissioner's decision, and due to the evidence that Applicant submitted at the hearing, Applicant should be granted a Resident Public Adjuster Certificate of Authority.

9. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

**RECOMMENDED ORDER**

IT IS THEREFORE RECOMMENDED:

In consideration of the foregoing Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the **Commissioner of Insurance** the following:

1. That Applicant's Application Number 763521, which is for an Indiana Resident Public Adjuster Certificate of Authority, should be **GRANTED**.

**ALL OF WHICH IS ADOPTED** by the Administrative Law Judge and recommended to the Commissioner of Insurance this 9<sup>th</sup> day of Sept, 2020.



Reuben B. Hill, Esq.  
Administrative Law Judge

Distribution:

James W. Taylor  
c/o James E. Porter, Attorney for Applicant  
50 S. Meridian St., Suite 505  
Indianapolis, Indiana 46204

Victoria Hastings, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, Indiana 46204



STATE OF INDIANA )  
) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 19026-AD20-0305-043

IN THE MATTER OF: )

James W. Taylor )  
2143 E. 100 N., )  
Kokomo, IN 46901 )

Applicant. )

License Application # 763521 )

Type of Agency Action: Enforcement )

**FILED**

**AUG 13 2020**

STATE OF INDIANA  
DEPT. OF INSURANCE

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND RECOMMENDED ORDER**

Administrative Law Judge ("ALJ") Reuben Hill, having considered and reviewed all of the evidence, will now render a decision in the matter of James W. Taylor ("Applicant"). This matter came to be heard by the ALJ on July 15, 2020 at 10:00 a.m. via audio conferencing.

The Enforcement Division of the Indiana Department of Insurance ("Department") was represented by counsel, Victoria Hastings. Applicant appeared telephonically and by counsel, James E. Porter. Testimony was heard, and exhibits were received into evidence.

Based upon the evidence presented at said hearing, the ALJ now makes the following Findings of Fact, Conclusions of Law, and issues his Recommended Order.

**FINDINGS OF FACT**

1. On or around February 4, 2020, Applicant submitted his application for resident public adjuster certificate of authority.

2. The Department reviewed Applicant's application and public records, which included Applicant's criminal history, which were available at that time.

3. On April 9, 2020, the Department issued a Preliminary Administrative Order and Notice of License Denial due to Applicant's criminal history at that time.

4. On or around April 27, 2020, the Howard County Superior Court entered an Expungement Order in favor of Applicant. (Applicant's Exhibit C)

5. On or around April 28, 2020, Applicant requested a hearing in this matter.

6. On or around May 28, 2020, a hearing was scheduled for a setting on June 10, 2020.

7. On or around June 3, 2020, the Enforcement Division of the Indiana Department of Insurance filed a Motion to Continue Hearing due to the assigned investigator being out of town at the time of the June 10, 2020 hearing.

8. On or around June 5, 2020, the ALJ granted the Enforcement Division's Motion to Continue Hearing, and reset the hearing for June 24, 2020.

9. On or around June 22, 2020, counsel for Applicant filed an Unopposed Motion to Continue Hearing.

10. On or around June 22, 2020, the Hamilton County Superior Court entered an Expungement Order in favor of Applicant. (Applicant's Exhibit B)

11. On or around June 23, 2020, the ALJ granted the Unopposed Motion to Continue Hearing, and reset the hearing for the July 15, 2020 setting.

12. Applicant submitted seven (7) exhibits at the hearing. Applicant's Exhibit A is the Department's April 9, 2020, Preliminary Administrative Order and Notice of License Denial. Applicant's Exhibit B is an Expungement Order from the Hamilton County Superior Court. Applicant's Exhibit C is an Expungement Order from the Howard County Superior Court.

Applicant's Exhibit D is a Certificate of Eligibility for the Public Adjuster Assessment. Applicant's Exhibit E is a Public Adjuster's Bond. Applicant's Exhibit F is a letter of recommendation from a Ms. Rachel Adams. Applicant's Exhibit G is a letter of recommendation from a Mr. Shawn Blank.

13. The Department did not submit any exhibits.

14. Conclusions of Law that can be adopted as Findings of Fact are hereby incorporated herein as such.

### **CONCLUSIONS OF LAW**

1. The Commissioner of the Indiana Department of Insurance ("Commissioner") has jurisdiction over both the subject matter and the parties to this action.

2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code and in compliance with Governor Holcomb's Executive Orders.

3. On March 19, 2020, Governor Eric J. Holcomb issued an Executive Order 20-05 Section 13(A), which provided that any non-essential deadline for an agency can be extended for a period of no longer than 60 days.

4. Thus, the requirement under Indiana code § 27-1-27-7.1(c) that the hearing shall be held within twenty (20) days, was extended per Executive Order 20-05, which was still in effect at the time of scheduling Applicant's hearing.

5. Indiana Code § 27-1-27-7.1 states that the Commissioner may refuse to issue a public adjuster certificate of authority, due to a number of factors.

6. Indiana Code § 27-1-27-7.1(b)(8) allows the Commissioner to refuse to issue a public adjuster certificate of authority for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of insurance business.

7. Indiana Code § 4-21.5-3-14(c) states that the person requesting an agency take action has the burden of persuasion and the burden of going forward. Here, Applicant is requesting that the Department issue him a resident public adjuster certificate of authority and, therefore, Applicant bears the burden.

8. Pursuant to Indiana Code § 27-1-27-7.1(c), a hearing was held to determine the reasonableness of the Commissioner's decision, and due to the evidence that Applicant submitted at the hearing, Applicant should be granted a resident public adjuster certificate of authority.

9. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

**RECOMMENDED ORDER**

With the Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the Commissioner the following:

1. That Applicant's application #763521, which is for an Indiana resident public adjuster certificate of authority, should be granted.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Reuben Hill  
Administrative Law Judge

Distribution:

James W. Taylor  
c/o James E. Porter, Attorney for Applicant  
50 S. Meridian St., Suite 505  
Indianapolis, IN 46204

Victoria Hastings, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 19026-AD20-0305-043

IN THE MATTER OF:                     )

James W. Taylor                     )  
2143 E. 100 N.,                     )  
Kokomo, IN 46901                    )

Applicant.                             )

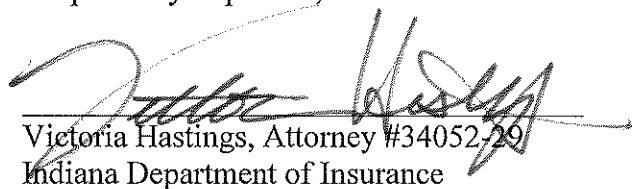
Type of Agency Action: Enforcement    )

License Application #: 763521            )

**MOTION TO VACATE PRELIMINARY ADMINISTRATIVE ORDER AND**  
**NOTICE OF LICENSE DENIAL FROM APRIL 9, 2020**

The Enforcement Division, by counsel, Victoria Hastings, now moves that the Preliminary Administrative Order and Notice of License Denial of April 9, 2020, be vacated due to new information that the Department received on or about June 26, 2020, which revealed that Applicant's criminal convictions were expunged on or about April 27, 2020, and June 22, 2020.

Respectfully requested,

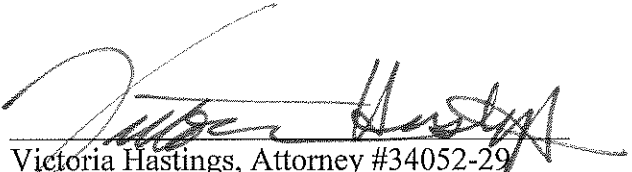
  
Victoria Hastings, Attorney #34052-29  
Indiana Department of Insurance

**Certificate of Service**

This is to certify that a copy of the foregoing Motion has been served upon Applicant in the above-captioned proceeding and at the address above this \_\_\_\_ day of \_\_\_\_\_, 2020.

James E. Porter  
50 S. Meridian St., Suite 505  
Indianapolis, IN 46204

James W. Taylor  
2143 E. 100 N.,  
Kokomo, IN 46901

  
Victoria Hastings, Attorney #34052-29  
Indiana Department of Insurance

STATE OF INDIANA            )  
                                      ) SS: COMMISSIONER OF INSURANCE  
COUNTY OF MARION        ) CAUSE NO.: 19026-AD20-0305-043

IN THE MATTER OF:                                )  
  )  
JAMES W. TAYLOR,                                )  
Respondent.                                        )  
  )  
Type of Agency Action: Enforcement        )  
License Application#: 763521                    )

**FILED**  
**JUN 22 2020**  
STATE OF INDIANA  
DEPT. OF INSURANCE

**UNOPPOSED MOTION TO CONTINUE HEARING**

Comes now the Respondent, James W. Taylor by counsel, and files this Unopposed Motion to Continue the Hearing set for June 24, 2020 at 10:00 a.m., and in support thereof, states the following:

1. This matter is currently set for an evidentiary hearing on June 24, 2020 at 10:00 am.
2. Undersigned counsel entered his appearance on June 19, 2020 and is requesting additional time to prepare and obtain evidence in support of Mr. Taylor's claim. Further, Mr. Taylor filed a petition for expungement of the criminal matter that is associated with the denial of his application and anticipates an Order in that case in the very near future.
3. Undersigned counsel was informed by counsel for the IDOI that the Department does not object to this continuance.
4. This motion to continue is not being interposed for the purpose of delay.
5. Undersigned counsel requests that this matter be reset for the week of July 6<sup>th</sup> or the week of July 13<sup>th</sup>. Undersigned counsel has a trial in Johnson County during the week of July 20<sup>th</sup> that will take most of the week.



WHEREFORE, Respondent respectfully request that the Court continue the hearing currently set for June 24, 2020 and for all other relief just and proper in the premises.

Respectfully submitted,

/s/ James E. Porter

James E. Porter (28011-49)

EPSTEIN COHEN SEIF & PORTER, LLP

50 S. Meridian St. Suite 505

Indianapolis, Indiana 46204

Telephone: (317) 639-1326 ext.114

Facsimile: (317) 638-9891

Email: James@JEPorterLaw.com

*Attorney for Respondent*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon the following counsel of record by electronic service, on June 22, 2020.

Victoria Hastings  
Indiana Department of Insurance  
311 West Washington St. #103  
Indianapolis, IN 46204-2787  
VHastings@idoi.in.gov

/s/ James E. Porter

James E. Porter

STATE OF INDIANA )  
 ) SS: COMMISSIONER OF INSURANCE  
COUNTY OF MARION ) CAUSE NO.: 19026-AD20-0305-043

IN THE MATTER OF: )  
 )  
JAMES W. TAYLOR, )  
Respondent. )  
 )  
Type of Agency Action: Enforcement )  
License Application#: 763521 )

**FILED**

**JUN 24 2020**

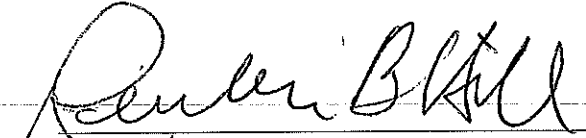
**STATE OF INDIANA  
DEPT. OF INSURANCE**

**ORDER GRANTING MOTION TO CONTINUE HEARING**

COMES NOW, Respondent James W. Taylor, by counsel and files his Unopposed Motion to Continue the Hearing set for June 24, 2020, and the Administrative Law Judge, being duly advised in the premises, hereby GRANTS said Motion.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the hearing set for June 24, 2020 at 10:00am is hereby continued to July 15, 2020 at 10:00 (a.m.)/ p.m.

So ORDERED, this 24 day of June, 2020.

  
Administrative Law Judge

**Distribution:**

James E. Porter  
EPSTEIN COHEN SEIF & PORTER, LLP  
James@JEPorLaw.com

Victoria Hastings  
INDIANA DEPARTMENT OF INSURANCE  
vhastings@idoi.in.gov

STATE OF INDIANA )  
COUNTY OF MARION )

) SS:

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 19026-AD20-0305-043

IN THE MATTER OF: )

James W. Taylor )  
2143 E. 100 N., )  
Kokomo, IN 46901 )

Applicant. )

Type of Agency Action: Enforcement )

License Application #: 763521 )

**FILED**

**JUN 05 2020**

STATE OF INDIANA  
DEPT. OF INSURANCE

**ORDER CONTINUING HEARING DATE**

The Enforcement Division of the Indiana Department of Insurance (the "Department"), by counsel, having filed its Motion to Continue Hearing, and the Administrative Law Judge, being duly advised, hereby finds that said motion should be GRANTED.

IT IS THEREFORE ORDERED that the hearing scheduled for June 10, 2020, at 10:00am is hereby continued to June 24, 2020. @ 10:00am Eastern.

  
Administrative Law Judge

**Distribution:**

Victoria Hastings, Attorney  
ATTN: Steve Embree, Insurance  
Investigator  
Indiana Department of Insurance  
311 West Washington St. #103  
Indianapolis, IN 46204-2787

James W. Taylor  
2143 E. 100 N.,  
Kokomo, IN 46901

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 19026-AD20-0305-043

IN THE MATTER OF: )

James W. Taylor )  
2143 E. 100 N., )  
Kokomo, IN 46901 )

Applicant. )

Type of Agency Action: Enforcement )

License Application #: 763521 )

**FILED**

**JUN 03 2020**

STATE OF INDIANA  
DEPT. OF INSURANCE

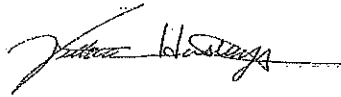
**MOTION TO CONTINUE HEARING**

The Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Victoria Hastings, respectfully requests the June 10, 2020, hearing currently set in the above-captioned matter be continued, and in support thereof states as follows:

1. The investigator assigned to this matter will be out of the office on the date of the currently set hearing, for a previously scheduled vacation, and will not return until June 15, 2020.
2. The Department respectfully requests that the hearing in this matter currently scheduled for June 10, 2020, be continued.
3. The Department is not making this motion for the purpose of improper delay or to burden any party.

WHEREFORE, the Department respectfully requests this Court to continue the hearing currently set for June 10, 2020 and grant all other relief just and proper under the premises.

Respectfully submitted,

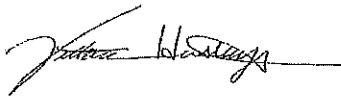


Victoria Hastings, Attorney # 34052-29  
Indiana Department of Insurance  
Enforcement Division

**Certificate of Service**

This is to certify that a copy of the foregoing Motion has been served upon Applicant in the above-captioned proceeding and at the address above this 5 day of June, 2020.

James W. Taylor  
2143 E. 100 N.,  
Kokomo, IN 46901



Victoria Hastings, Attorney # 34052-29  
Indiana Department of Insurance  
Enforcement Division

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 19026-AD20-0305-043

IN THE MATTER OF: )

James W. Taylor )  
2143 E. 100 N., )  
Kokomo, IN 46901 )

Respondent. )

Type of Agency Action: Enforcement )

License Application #: 763521 )

**FILED**

**MAY 28 2020**

STATE OF INDIANA  
DEPT. OF INSURANCE

**NOTICE OF HEARING**

Notice is hereby given, pursuant to Indiana Code § 4-21.5-3 *et seq.*, that an evidentiary hearing will be held on June 10, 2020, at 10:00 (A.M.)/P.M. Eastern Time at 311 West Washington Street, Suite 103, Indianapolis, Indiana 46204-2787, to determine whether to grant Applicant's request for a resident public adjuster certificate of authority.

The hearing will be conducted in accordance with the provisions of the Administrative Orders and Procedures Act, codified at Indiana Code § 4-21.5-3 *et seq.* The Commissioner's authority regarding public adjuster licensing is contained in Indiana Code § 27-1-27-7.1. Additionally, the hearing will be conducted in accordance with Governor Eric J. Holcomb's Executive Order 20-05 Section 13(A) issued on March 19, 2020, which provides that any non-essential deadline of an agency can be extended for a period of no longer than 60 days. Thus, the requirement under Indiana Code § 27-1-27-7.1(c) that the hearing shall be held within twenty (20) days, is hereby extended per Executive Order 20-05.

The issues to be resolved at the hearing are those described in the Preliminary Administrative Order and Notice of License Denial filed on April 9, 2020.

The Indiana Department of Insurance asserts that Applicant has violated Indiana Code § 27-1-27-7.1(b)(8) in that Applicant has been convicted of Domestic Violence, a Class A Misdemeanor, and Strangulation, a Class A Misdemeanor.

In accordance with Indiana Code § 4-21.5-3 *et seq*, the Administrative Law Judge in this matter is:

Reuben B. Hill  
Indiana Department of Insurance  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787  
Telephone: (317) 232-2387

The Department of Insurance will be represented by its counsel, Victoria Hastings, who can be reached at:

Indiana Department of Insurance  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787  
Telephone: (317) 234-2101

A party who fails to attend or participate in a pre-hearing conference, hearing or other later stage of the proceeding, may be held in default or have a proceeding dismissed under Indiana Code § 4-21.5-3-24.

Dated: 5-28-20

Reuben B. Hill  
Administrative Law Judge  
Indiana Department of Insurance

This Notice has been sent to:

Victoria Hastings, Attorney  
ATTN: Steven A. Embree, Insurance Investigator  
Indiana Department of Insurance  
Enforcement Division  
311 West Washington St., Suite 103  
Indianapolis, IN 46204-2787

James W. Taylor  
2143 E. 100 N.,  
Kokomo, IN 46901



STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 19026-AD20-0305-043

IN THE MATTER OF:     )

James W. Taylor     )  
2143 E. 100 North,   )  
Kokomo, IN 46901    )

Applicant.     )

Type of Agency Action: Enforcement    )

License Application #: 763521     )

**FILED**

APR 09 2020

STATE OF INDIANA  
DEPT. OF INSURANCE

**PRELIMINARY ADMINISTRATIVE ORDER**  
**AND NOTICE OF LICENSE DENIAL**

The Indiana Department of Insurance ("Department"), pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-1-27-7.1, hereby gives notice to James Wesley Taylor ("Applicant") of the following Administrative Order:


1. Applicant submitted an application for resident public adjuster certificate of authority with the Commissioner of the Indiana Department of Insurance ("Commissioner") on February 4, 2020.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-27-3 and Indiana Code § 27-1-27-7.1.
3. Indiana Code § 27-1-27-7.1(b)(8) provides, in part, that the Commissioner may refuse to issue a public adjuster certificate of authority for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility, in the conduct of insurance business.

4. Following a review of materials submitted by the Applicant and a review of public records, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure, as stated by Indiana Code § 27-1-27-7.1(b)(8), due to Applicant's criminal history, including a conviction from May 9, 2002, for Domestic Violence, a Class A Misdemeanor, and a January 25, 2010, conviction for Strangulation, a Class A Misdemeanor.
5. Indiana Code § 27-1-27-7.1(c) provides that the Applicant may, not more than thirty (30) days after notice of refusal of the applicant's application, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action. The hearing must be held under IC 4-21.5 not more than twenty (20) days after the Commissioner receives the applicant's written demand.

**IT IS THEREFORE ORDERED** that Applicant's request for resident public adjuster certificate of authority is hereby **DENIED** pursuant to Indiana Code 27-1-27-7.1(b)(8), due to Applicant's criminal history. Applicant may reapply for a certificate of authority not less than one (1) year from the date of this order.

4-9-2020

Date Signed

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution to:

James W. Taylor  
2143 E. 100 North,  
Kokomo, IN 46901

Victoria Hastings, Attorney  
ATTN: Steve Embree, Investigator  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204  
317 234-5883, fax 317 234-2103